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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,342	11/20/2000	Fred S. Cook	1470	8608

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EXAMINER

IQBAL, KHAWAR

ART UNIT PAPER NUMBER

2617

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/716,342	<b>Applicant(s)</b> COOK, FRED S.	
	<b>Examiner</b> Khawar Iqbal	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 02 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 8,9,11,16,17,33 and 40-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8,9,11,16,17,33 and 40-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8,9,11,16,17,33 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (6343212) and further in view of Grube et al (5778304).

3. Regarding claim 11 Weber et al teaches a method of altering operation of a device based on location, the device having default control logic that causes the device present an audible alert signal when the device receives a ring signal, the method comprising in combination (figs. 1-5):

when the device is in a given location, the device receiving a control signal associated with the given location (col.5, lines 35-48, col. 6, lines 25-45), wherein the control signal comprises a set of alternative control logic to be executed by the device when the device receives the ring signal wherein the alternative control logic cause the device to present a vibration alert signal when the device receives the ring signal (col. 9, lines 25-55, col. 10, lines 1-35, see above);

the device storing the set of alternative control logic in data storage (col.8, lines 10-40) (col. 9, lines 25-55, col. 10, lines 1-35, see above); and

the device thereafter receiving the ring signal and responsively applying the alternative control logic to present the vibration alert signal rather than applying the

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default control logic to present the audible alert signal (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above); and

upon a predetermine duration after the device has exited the given location, the device reverting to a mode in which the device applies the default control logic rather than the alternative control logic (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above). Weber et al teaches A base station (1') comprises only a transmission means (3') and a generating means (2') and serves only for transmitting the mode change information in a predetermined area by means of an antenna (5') and the base station is located in an area which has to be protected from disturbing usage of mobile terminals such in a waiting lounge or a restaurant (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35). Weber et al does not specifically teach the device receiving a first entity a control signal associated with the given location and the device responsively requesting a second entity.

In an analogous art, Grube et al the device receiving a first entity a control signal associated with the given location and the device responsively requesting a second entity (col. 3, lines 10-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Weber et al by specifically adding features in order to enhance a user response indicating the device responsively requesting a second entity to allows safe operation of mobile radios in regions where interference causes serious problems as taught by Grube et al.

Regarding claim 8 Weber et al teaches associating the control signal with the given location by emitting the control signal from at least one transmitter local to the

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given location (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, also see claim 1).

Regarding claim 9 Weber et al teaches detecting presence of the device in the given location, and responsively sending the control signal to the device in the given location (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 16 Weber et al teaches applying the default control logic to present the audible alert signal comprises emitting a first predetermined signal structure, and wherein applying the alternative control logic to present the vibration alert signal comprises emitting a second predetermined signal structure (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 17 Weber et al teaches wherein applying the default control logic to present the audible alert signal comprises presenting a first predetermined signal perceptible to a user, and wherein applying the alternative control signal to present the vibration alert signal comprises presenting a second predetermined signal perceptible to user (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claims 33, 40-43 Weber et al teaches a base station (1') comprises only a transmission means (3') and a generating means (2') and serves only for transmitting the mode change information in a predetermined area by means of an antenna (5') and the base station is located in an area which has to be protected from disturbing usage of mobile terminals such in a waiting lounge or a restaurant (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

In an analogous art, Grube et al more detail teaches user of the device for approval of changing after the device receives the control signal (col. 3, lines 30-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Weber et al by specifically adding features in order to enhance a user response indicating whether or not the user approves of the control logic to increasing the efficiency of the communication system allows safe operation of mobile radios in regions where interference causes serious problems as taught by Grube et al.

4. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (6343212) and further in view of Grube et al (5778304) and Ung et al (20010031641).

5. Regarding claim 43 Weber et al and Grube et al do not specifically teach network address comprises an Internet Protocol address.

In an analogous art, Ung et al teaches network address comprises an Internet Protocol address (para. # 0059). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Weber et al and Grube et al by specifically adding features IP address to for use with wireless carriers, Internet service providers as taught by Grube et al.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 8,9,11,16,17,33 and 40-43 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Khawar Iqbal*

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER